

### REMARKS

This application has been carefully reviewed in light of the Office Action dated November 3, 2004. Claims 20 to 22 are now pending in the application, with Claims 1 to 19 having been canceled. Claim 20 is the only independent claim herein.

Reconsideration and further examination are respectfully requested.

The specification was objected to for containing duplicate paragraphs. The duplicate paragraphs noted in the Office Action have been deleted from the specification. Accordingly, withdrawal of the objection is respectfully requested.

Claims 1 to 18 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,943,650 (Kanno) and Claim 19 was rejected under 35 U.S.C. § 103(a) over Kanno in view of U.S. Patent No. 6,457,025 (Judson) and U.S. Patent No. 5,887,133 (Brown). Inasmuch as Claims 1 to 19 have been cancelled, the rejections are believed to be obviated. Nonetheless, Applicants submit that newly-added Claims 20 to 22 are believed to be allowable over the art of record for at least the reasons set forth below.

The present invention of independent Claim 20 relates to controlling the use of software. According to the invention, a flag indicating whether or not a battery can be charged is registered in a predetermined storage area, and based on the flag, battery addition information is obtained. Then, when an application is used, the battery addition information is decreased so that, once the battery addition information reaches a predetermined amount, use of the application is stopped. As a result, it is possible to control use of an application by either allowing or disallowing charging of a battery based on the registered flag.

Referring specifically to the claims, newly-added independent Claim 20 is a method of controlling the use of software, comprising a registration step of registering, in a

predetermined storage area, a flag indicating whether or not a software battery is allowed to be charged, an obtaining step of obtaining battery addition information via a network in accordance with the flag read from the predetermined storage area, a battery management step of decreasing the obtained battery addition information as an application is used, and a use control step of stopping use of the application if the battery addition information decreases to a predetermined amount.

The art of record, alone or in any permissible combination, is not seen to disclose or to suggest the features of the present invention, and in particular is not seen to disclose or to suggest at least the feature of registering, in a predetermined storage area, a flag indicating whether or not a software battery is allowed to be charged, and obtaining battery addition information via a network in accordance with the flag read from the predetermined storage area.

Kanno is merely seen to disclose a software battery management system in which a charge disk (e.g., a floppy disk) includes a charge value that allows a user to charge a software battery. Thus, in Kanno, each software application can be charged using the charge disk and there is no storage of a flag indicating whether or not the battery of a particular application is allowed to be charged. Accordingly, Kanno is not seen to disclose or to suggest the features of the present invention.

Judson is merely seen to disclose a web-browser that displays information to a user during “downtime” periods. However, Judson is not seen to disclose or to suggest anything that, when combined with Kanno, would have resulted in at least the feature of registering, in a predetermined storage area, a flag indicating whether or not a software battery is allowed to be charged, and obtaining battery addition information via a network in accordance with the flag read from the predetermined storage area.

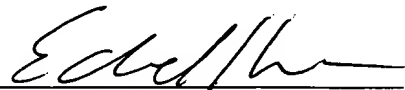
Brown is merely seen to disclose a system for substituting documents using document identifiers. However, Brown is not seen to disclose or to suggest anything that, when combined with Kanno and/or Judson, would have resulted in at least the feature of registering, in a predetermined storage area, a flag indicating whether or not a software battery is allowed to be charged, and obtaining battery addition information via a network in accordance with the flag read from the predetermined storage area.

In view of the foregoing, newly-added Claims 20 to 22 are believed to be allowable over the art of record.

As a formal matter, Applicants respectfully request that the Examiner consider the art cited in the Information Disclosure Statements dated April 22, 2002 and November 14, 2003 and return an initialed Form PTO-1449 for each of those Information Disclosure Statements to Applicants with the next communication.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,



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